

**This document has been prepared as part of the implementation project of Legal Pathways to Deep Decarbonization (Michael B. Gerrard and John C. Dernbach, eds. Environmental Law Institute [2019]) (LPDD). For background information on the project, see <https://lpdd.org>**

## **MODEL MUNICIPAL ORDINANCE FOR ALTERNATIVE FUEL VEHICLE PARKING BENEFITS**

### **1. PURPOSE AND INTENT.**

- 1.1 To encourage the adoption of alternative fuel vehicles by allowing a driver of a covered alternative fuel vehicle to park that vehicle without charge on the street and in municipal parking spaces.

### **2. DEFINITIONS.**

In this chapter:

- 2.1 **OPTION #1:** The term "alternative fuel vehicle" or "AFV" means a vehicle that is powered solely by electricity or hydrogen fuel cell. This term includes a vehicle that has been converted to meet this definition of an alternative fuel vehicle.

**OPTION #2:** The term "alternative fuel vehicle" or "AFV" means (1) a vehicle that is powered solely by electricity or hydrogen fuel cell; or (2) a plug-in hybrid vehicle that is powered in part by electricity from a battery pack that requires an external electricity source to fully recharge. This term includes a vehicle that has been converted to meet this definition of an alternative fuel vehicle.

- 2.2 The term "covered alternative fuel vehicle" or "covered AFV" means an alternative fuel vehicle that **[Optional]** (1) is registered as an alternative fuel vehicle in the municipality; and **[Optional]** (2) for which the owner does not owe back taxes or parking tickets within the municipality.
- 2.3 The term "municipal parking space" means a parking space that is (1) owned, operated, or leased by the municipality and (2) available to the general public for parking.
- 2.4 The term "valid parking pass" means a pass issued by the [Department of Traffic and Parking] under this chapter identifying the vehicle as a covered AFV eligible for free parking.

### **3. FREE PARKING FOR COVERED ALTERNATIVE FUEL VEHICLES.**

- 3.1 The municipality shall not charge the owner of a covered AFV displaying a valid parking pass for parking the covered AFV in a legal parking space on the street within the municipality or in a municipal parking space.

### **4. PROCESS FOR ISSUANCE OF VALID PARKING PASSES.**

- 4.1 A person seeking benefits for a vehicle under this chapter shall submit to the [Department of Traffic and Parking] the following: (1) an application in a form specified

by the [Department]; (2) a copy of the vehicle's bill of sale or proof of conversion; and (3) a copy of the vehicle's registration under the [Department of Motor Vehicles].

4.2 The [Department of Traffic and Parking] shall issue to the owner of a vehicle for which an application has been approved under this chapter a valid parking pass.

4.3 **OPTION #1:** The [Department of Traffic and Parking] shall not charge a fee for the application for, or issuance of, a valid parking pass.

**OPTION #2:** The [Department of Traffic and Parking] shall not charge a fee for the application for, or issuance of, a valid parking pass, except that the [Department of Traffic and Parking] may charge an administrative fee.

5. **RESTRICTIONS.**

5.1 Any benefit provided to a covered AFV under this chapter is valid only when a valid parking pass is displayed in accordance with municipal requirements.

5.2 Nothing in this chapter allows the owner of a covered AFV to park in a manner not in compliance with posted restrictions.

5.3 A valid parking pass is not transferrable to any other vehicle.

5.4 A valid parking pass is not transferrable upon a change in vehicle ownership.

6. **EXPIRATION.**

6.1 **Option #1:** Each valid parking pass shall expire annually on a fixed date, initially 1 year after the date that this ordinance takes effect. Each valid parking pass may be renewed annually, except that all passes issued under this chapter shall expire on December 31, 2030, and shall not be renewable thereafter.

**Option #2:** Each valid parking pass shall expire 1 year after the date of the issuance of the pass. Each valid parking pass may be renewed annually, except that all passes issued under this chapter shall expire on December 31, 2030, and shall not be renewable thereafter.

7. **EXFECTIVE DATE.**

7.1 This chapter shall take effect on the day that is [\_\_] days after the date of its enactment.